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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)	
		Terablaze 4	
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	10/552,601	10/5/2005	
	First Named Inventor		
	Chung K. Chin		
	Art Unit	Examiner	
	2476	Chuong T. Ho	
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>Kevin M. Mason, 36,597</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input type="checkbox"/> *Total of _____ forms are submitted.</p>			

Kevin M. Mason

Signature

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Typed or printed name

203-255-6560

Telephone number

January 27, 2010

Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

5 Applicant(s): Chung K. Chin
Case: Terablaze 4
Serial No.: 10/552,601
Filing Date: October 5, 2005
Group: 2476
10 Examiner: Chuong T. Ho

Title: Method and Apparatus for Shared Multi-Bank Memory

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MEMORANDUM IN SUPPORT OF
PRE-APPEAL BRIEF REQUEST FOR REVIEW

20 The present invention and prior art have been summarized in Applicant's prior responses.

STATEMENT OF GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The present application was filed on October 5, 2005 with claims 1 through 24. Claims 14-17 were cancelled in the Amendment and Response to Office Action dated October 7,
25 2008. Claims 1-13 and 18-24 are presently pending in the above-identified patent application. Claims 1, 4, 7, 8, 18, 21, and 23 are rejected under 35 U.S.C. §103(a) as being unpatentable over Muller et al. (United States Patent No. 6,021,132) in view of Sindhu et al. (United States Patent No. 7,116,660), and claims 9 and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Muller et al. in view of Manning et al. (United States Patent No. 6,088,736).

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ARGUMENTS

Independent Claims 1 and 18

Independent claims 1 and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Muller et al. in view of Sindhu et al. Regarding claim 1, the Examiner asserts
35 that Sindhu discloses storing in said shared memory (FIG. 9, shared memory), wherein said shared memory comprises two or more buffers (FIG. 9: M (0), M (1), M (2), M (3), M (4), M (5), M (6), M (7)), at least a portion of a packet in contiguous banks (FIG. 9, banks 902) of a first buffer (M (0)) of said two or more buffers, wherein each of said banks (FIG. 9, banks 902)

comprises portions, wherein each of said two or more buffers comprises a portion from each of said plurality of banks, and wherein each of said buffers identifies an address of a location in each of said banks (col. 14, lines 30-35). In the Advisory Action, the Examiner asserts that Muller discloses where each of said two or more buffers comprises a portion from each of said plurality of banks (col. 8, lines 43-45; the buffers may be further subdivided into a number of memory lines).

Applicant notes that Sindhu teaches that FIG. 9 illustrates a *reservation table 508* that “includes a *plurality of columns 900, one for each memory bank 105 in global data buffer 104, a plurality of rows 902*” (col. 11, lines 22-26; emphasis added) and that “*each row represents a set of read requests*” (col. 11, lines 26-27; emphasis added). Thus, contrary to the Examiner’s assertion, FIG. 9 does *not* represent a shared memory (as defined in the context of the present invention and is well known in the art), the columns of table 508 are *not* buffers, and the rows of table 508 are *not* banks. Furthermore, Sindhu’s teaching at col. 14, lines 30-35, refers to memory banks 105 of FIG. 2B (see, cols. 12-14); Sindhu’s teaching at col. 14, lines 30-35, does *not* refer to the rows 902 of table 508.

Furthermore, as the Examiner acknowledges, Muller teaches that the buffers may be further *subdivided into a number of memory lines*; Muller does *not* disclose or suggest where each of the buffers *comprise a portion from each of said plurality of banks*.

Neither Muller nor Sindhu, alone or in combination, disclose or suggest that a *shared memory comprises two or more buffers and two or more banks, wherein each of the banks comprises portions, wherein each of the two or more buffers comprises a portion from each of the plurality of banks, and wherein each of the buffers identifies an address of a location in each of the banks*.

Thus, Muller et al. and Sindhu et al., alone or in combination, do not disclose or suggest wherein said shared memory comprises two or more buffers and two or more banks, at least a portion of a packet in contiguous banks of a first buffer of said two or more buffers, wherein each of said banks comprises portions, wherein each of said two or more buffers comprises a portion from each of said plurality of banks, and wherein each of said buffers identifies an address of a location in each of said banks, as required by independent claims 1 and 18.

Independent Claim 9

Independent claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Muller et al. in view of Manning et al. In particular, the Examiner asserts that Muller discloses maintaining a buffer usage count for at least one of said buffers in a shared memory (Abstract; col. 7, lines 25-27; and col. 9, lines 35-37). The Examiner asserts that Muller discloses a counter for monitoring a buffer usage count (Abstract; col. 2, lines 25-25; usage count) provides an indication of the input (write) over all packets in said at least one of said buffers of the number of output ports (two output ports) toward which each of said packet is destined (col. 12, lines 27-31). The Examiner acknowledges that Muller is silent to disclosing a “sum over all packet in said at least one of said buffer,” but asserts that Manning discloses (that a) buffer provides an indication of the sum (col. 6, lines 20-35; total number of cells) over all packets in said at least one of said buffers of the number of output ports toward which each of said packets is destined, wherein said at least one of said buffers contains two or more packets (col. 6, lines 25-35; and col. 13, lines 15-25).

Applicants note that the present specification teaches:

Another aspect of the invention provides techniques for managing the shared memory. A buffer usage count is maintained for at least one of the buffers. The buffer usage count provides an indication of the sum over all packets in a buffer of the number of output ports toward which each of the packets is destined. The buffer usage count provides a mechanism for determining when a buffer is free. In one implementation, the buffer usage count is incremented to indicate that a packet destined for one output port is stored in the buffer and is decremented when a data unit is read from the buffer and the data unit is the last data unit of a packet or the last data unit of the buffer. The buffer usage count can also indicate a number of destination ports for a packet to perform a multicasting operation.

(Page 2, lines 21-29; emphasis added.)

Thus, if a packet is destined for three output ports, the buffer usage count for this packet would be three. In accordance with this teaching, independent claim 9 requires *wherein said buffer usage count provides an indication of a sum over all packets in said at least one of said buffers of a number of output ports toward which each of said packets is destined, wherein said at least one of said buffers contains two or more packets and wherein at least one of said two or more packets is destined for more than one output port*. Applicants reiterate that the sum is a *sum over all packets* in at least one of said buffers and that *said at least one of said buffers contains two or more packets*. In the text cited by the Examiner, Muller teaches:

The buffer tracking unit 329 processes the input port's 0010b notification which indicates there are 3 buffer owners.

Read: 1110b

Modify: $1110b + 0011b + 0001b = 0010b$

Write: 0010b

The other two output ports 206 complete transmission of 0010b the buffer and so notify the buffer tracking unit 329.
(Col. 12, lines 27-31.)

Muller does *not* disclose or suggest, however, that the buffer usage count provides an indication of a sum over all packets in the buffer of a number of output ports toward which each of the packets is destined and wherein at least one of the packets is destined for more than one output port. In fact, Muller does not even disclose or suggest that the buffer usage count provides an indication of a sum over all packets.

Also, in the text cited by the Examiner, Manning teaches:

Thereby, flow control and non-flow control connections can be active simultaneously.

When a data cell is forwarded out of the receiver element 14, Buffer__Counter 32 is decremented. Buffer__Counter 32 should never exceed Buffer__Limit 30 when the connection-level flow control protocol is enabled, with the exception of when BS__Limit 24 has been decreased and the receiver element 14 has yet to forward sufficient cells to bring Buffer__Counter 32 below Buffer__Limit 30.
(Col. 6, lines 20-35.)

Manning teaches that Buffer__Counter 32 “provides an indication of the number of buffers 28 in the downstream element 14 which are currently being used for the storage of data cells. As described subsequently, this value is used in providing the upstream element 12 with a more accurate picture of buffer availability in the downstream element 14” (col. 4, line 66, to col. 5, line 4) and that Fwd__Counter 38 is “a running count of the total number of cells forwarded through the receiver element 14” (col. 5, lines 20-21). Thus, Manning also does *not* disclose or suggest that the buffer usage count provides an indication of a sum over all packets in the buffer of a number of output ports toward which each of the packets is destined and wherein at least one of the packets is destined for more than one output port. In fact, Manning does not even disclose or suggest that the buffer usage count provides an indication of a sum over all packets.

Thus, Muller and Manning, alone or in combination, do not disclose or suggest wherein said buffer usage count provides an indication of a sum over all packets in said at least

one of said buffers of a number of output ports toward which each of said packets is destined, wherein said at least one of said buffers contains two or more packets and wherein at least one of the packets is destined for more than one output port, as required by independent claim 9.

Dependent Claims 2-8, 10-14 and 19-24

Claims 2-8, 10-14, and 19-24 are dependent on independent claims 1, 9, and 18, respectively, and are therefore patentably distinguished over the cited prior art, alone or in combination, because of their dependency from independent claims 1, 9, and 18 for the reasons set forth above, as well as other elements these claims add in combination to their base claim.

Conclusion

All of the pending claims, i.e., claims 1-13 and 18-24, are in condition for allowance and such favorable action is earnestly solicited.

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below. The Examiner's attention to this matter is appreciated.

Respectfully submitted,



Date: January 27, 2010

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